

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FRED LEICHT, : Case No. C-1-00-853
Plaintiff, : (Judge Dlott)
v. :
AUTOZONE, INC. et al, :
Defendant. :

PLAN FOR NOTICE AND SETTLEMENT

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs, through counsel, hereby submit a Plan for the notification of class members of the pendency of this action and the proposed Settlement, as well as a timetable for other required events.

A. Individual Notice

If approved by the Court, counsel for the Settlement Class shall cause to be mailed in the name of the Clerk of Court, postage prepaid, to all class members who can be identified through reasonable efforts, a Notice of Class Action and Proposed Settlement (the "Notice"), a copy of which is attached hereto as Appendix 3. The Notice will be mailed to class members within thirty (30) days after the Court enters an Order preliminarily approving the settlement. The efforts to notify all class members of the pendency of the class action will include the following:

1. Sending the Notice to all class members at the address on the records maintained by Defendant; and

2. Sending the Notice to all class members and/or their counsel who contact counsel for the Settlement Class.

B. Publication Notice

A summary Notice of Class Action and Proposed Settlement will be published in the Cincinnati edition of *The Cincinnati Enquirer* within fourteen (14) days after the Notice is sent to class members. A copy of the summary notice is attached hereto as Appendix 4.

C. Additional Scheduling

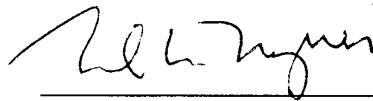
The Fairness Hearing should be scheduled for the first available date which occurs at least sixty (60) days after this Court grants preliminary approval of the Settlement Agreement. No later than fifteen (15) days prior to the Fairness Hearing, counsel for the Settlement Class shall submit to the Clerk of Court a motion for, and brief in support of, final approval of the Settlement Agreement, as well as a petition for attorney fees, costs of litigation, costs of class notice and administration, and an incentive award to the Class Representatives. In this petition counsel shall include an estimate of the cost of sending checks to qualified Settlement Class Members, of any additional attorney time necessary to finalize the settlement arrangements, and of any other incidental expenses which may be anticipated, so that the Court may be accurately apprised of all financial issues before issuing final approval.

No later than five (5) days prior to the Fairness Hearing counsel for the Settlement Class shall submit to the Clerk of Court a certificate demonstrating that the above notification process has been satisfied.

CONCLUSION

Counsel for Plaintiffs respectfully submit that the above-described Plan provides the best notice practicable under the circumstances and that it meets the requirements of due process and Federal Rules of Civil Procedure 23(c)(2) and 23(e).

Respectfully submitted,



Randolph H. Freking (00009158)
Mark W. Napier (0019700)
Freking & Betz
215 E. Ninth Street
Fifth Floor
Cincinnati, Ohio 45202
Phone: (513) 721-1975
Fax: (513) 651-2570

And

Carol S. Wood (0040739)
3016 Lischer Avenue
Cincinnati, Ohio 45211
Phone: (513) 662-7227

COUNSEL FOR PLAINTIFFS